

Chapter 18.170***Appeals*****18.170.010 Purpose**

This section identifies the procedures for filing and processing an appeal of actions of Approving Authorities, consistent with California Government Code Section 65904. Where the appeal provisions of this section conflict with other provisions of other sections of the Riverside Municipal Code, the appeal provisions of this section shall apply with regard to subdivision matters.

18.170.020 Appeal Applicability and Authority

- A. Any person dissatisfied with an interpretation or action of an Approving Authority made pursuant to this Title may appeal such action to the designated Appeal Authority and ultimately to the City Council. Appeals must be filed in accordance with the procedures in this Section. Table 18.140.040 identifies the Appeal Authority for each of the City's map and permits and actions. Actions by the City Council are not subject to appeal and are final.
- B. The Approving Authority, instead of taking any action, may refer the matter to the Appeal Authority. For example, the Zoning Administrator may refer action on a tentative parcel map to the Planning Commission for action.

18.170.030 Filing an Appeal

- A. All appeals shall be submitted in writing to the Planning Division and shall identify the action being appealed and specifically state the basis or grounds of the appeal.
- B. Appeals shall be filed within ten (10) days following the date the Approving Authority either announces its determination or loses jurisdiction on the matter for which an appeal is made and shall be accompanied by a filing fee as established by City Council resolution.
- C. The filing of an appeal shall stay the action being appealed and the issuance of subsequent permit(s), such as grading or building permits. No fee shall be charged for an appeal or referral by the Mayor or City Council or public official acting in an official capacity.
- D. An appeal must be filed to exhaust all available administrative remedies.

18.170.040 Notice and Schedule of Appeal Hearings

Unless otherwise stated herein or agreed upon by the person filing the appeal and the applicant, appeal hearings and public meetings should be set within thirty (30) days from the date of appeal submittal. Notice of hearing for the appeal or public meeting shall be provided pursuant to noticing requirements of this Article.

18.170.050 Appeal Hearing and Action

Each appeal shall be considered *de novo* (new), and the Appeal Authority may reverse, modify or affirm the decision in whole or in part. In taking its action on an appeal, the Appeal Authority shall state the basis for its action. The Appeal Authority may modify, delete or add such conditions as it deems necessary. The Appeal Authority may also refer the matter back to the original Approving Authority for further action.